

**DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

**MANUEL GUTIERREZ,**

**Plaintiff,**

**v.**

**LAMAR CONTRACTORS, LLC,**

**Defendant.**

**Civil Action No. 2022-0014**

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**LAMAR CONTRACTORS, LLC,**

**Third Party Plaintiff,**

**v.**

**CERTAIN UNDERWRITERS AT LLOYD'S  
OF LONDON SUBSCRIBING ON POLICY  
NO. BAPCPS23091,**

**Third Party Defendant.**

**Attorneys:**

**Andrew C. Simpson, Esq.**

St. Croix, U.S.V.I.

*For Plaintiff*

**David J. Cattie, Esq.**

St. Thomas, U.S.V.I.

**Steven B. Loeb, Esq.**

Baton Rouge, LA

*For Defendant/Third Party Plaintiff*

**Meghan C. Dalton, Esq.**

Chicago, IL

**Ryan C. Stutzman, Esq.**

St. Croix, U.S.V.I.

*For Third Party Defendant*

**ORDER**

THIS MATTER comes before the Court on Plaintiff Manuel Gutierrez, Defendant/Third Party Plaintiff Lamar Contractors, LLC, and Third Party Defendant Certain Underwriters at Lloyd's of London subscribing on Policy No. BAPCPS23091's "Joint Stipulation of Dismissal with Prejudice of All Claims." (Dkt. No. 67). Plaintiff, Defendant/Third Party Plaintiff and Third Party Defendant state that they "stipulate that all claims, of any nature, filed by or against any party in the above-captioned action be immediately dismissed with prejudice, with each party to bear his/its own attorneys' fees, costs, and expenses." *Id.* at 1.

**UPON CONSIDERATION** of the foregoing, and in accordance with Fed. R. Civ. P. 41(a)(1)(A)(ii), it is hereby

**ORDERED** that the "Joint Stipulation of Dismissal with Prejudice of All Claims" (Dkt. No. 67) is **ACCEPTED**; and it is further

**ORDERED** that the Stipulation serves to **DISMISS WITH PREJUDICE** the instant action; and it is further

**ORDERED** that Third Party Defendant's Motion to Dismiss (Dkt. No. 36) is **DENIED AS MOOT**; and it is further

**ORDERED** that the Clerk of Court is directed to mark this case **CLOSED**.

**SO ORDERED.**

Date: October 27, 2023

\_\_\_\_\_/s/\_\_\_\_\_  
WILMA A. LEWIS  
District Judge